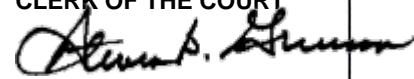


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**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

ERLINDA ZACARIAS; ERLINDA ZACARIAS  
as parent and guardian of [REDACTED]  
FRANCISCO ROCHA

Case No. A-22-846332-C  
Dept. No. 4

Plaintiffs,

vs.

ERNEST JOHNSON; JOWA TAX AND  
FINANCE, INC.; DOES 1 through 10; ROE  
CORPORATIONS 11-20, inclusive,

Defendants.

**PETITION FOR EXEMPTION FROM ARBITRATION**

Plaintiffs ERLINDA ZACARIAS, [REDACTED] (through his guardian  
ERLINDA ZACARIAS) and FRANCISCO ROCHA, by and through their attorney, BRIAN  
K. HARRIS, ESQ., of the law firm of HARRIS INJURY LAW, hereby request that the  
above-entitled matter be exempted from arbitration pursuant to Nevada Arbitration Rule 3 and  
5 as this case:

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**HARRIS**  
**INJURY LAW**

1. \_\_\_\_ present a significant issue of public policy;
2. X involves an amount in issue in excess of \$50,000.00, exclusive of interest and costs; and
3. \_\_\_\_ presents unusual circumstances which constitute good cause for removal from the program.

A specific summary of the facts which support the contention for exemption are as follows:

On or June 8, 2021, Defendants, while in the course and scope of their employment and agency with other Defendants, negligently failed to properly control and operate the subject semi truck and further failed to use due care to Plaintiffs **ERLINDA ZACARIAS**, [REDACTED] a minor, and **FRANCISCO ROCHA**, by rear-ending the vehicle they were occupying causing serious injuries.

As a result of the accident, Plaintiffs **ERLINDA ZACARIAS**, [REDACTED] a minor, and **FRANCISCO ROCHA**, sustained, among other injuries, the following:

**ERLINDA ZACARIAS**

Cervical Sprain / Strain  
 Headaches / Memory Difficulty / Dizziness  
 Right Otagia and Tinnitus  
 C4-C5 Disc Protrusion  
 C5-C6 Disc Bulge  
 Thoracic sprain /strain  
 Abdominal Pain  
 Right Shoulder Impingement Syndrome / Bicipital Tendinitis  
 Lumbar sprain/strain  
 L4-L5 Anterolisthesis

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Plaintiff **ERLINDA ZACARIAS**'s medical bills are as follows:

1.	UMC	\$	15,165.78
2.	Sound Physicans Emergency Med	\$	1,196.00
3.	Desert Radiologists	\$	2,118.00
4.	Lyons Physical Therapy	\$	22,475.00
5.	OpenSided MRI	\$	3,290.00
6.	Andrea Haag, LMT	\$	1,200.00
7.	Epion Institute for Spine & Joint Pain	\$	48,200.00
8.	Las Vegas Radiology	\$	1,650.00
9.	Red Rock Surgery Center	\$	49,795.00
10.	Valley Anesthesiology Consultants	\$	5,400.00
11.	Advanced Orthopedics & Sports	\$	1,196.63
<b>TOTAL</b>		<b>\$</b>	<b>151,686.41</b>

Headaches / Memory Loss

Cervical sprain / strain

Thoracic sprain /strain

Right Shoulder Tendinosis & Partial Tear

Lumbar sprain / strain

Plaintiff [REDACTED] Medical Bills are as follows:

1.	Lyons Physical Therapy	\$	14,140.00
2.	Gobinder Chopra, M.D	\$	1,300.00
3.	Las Vegas Radiology	\$	2,750.00
<b>TOTAL</b>		<b>\$</b>	<b>18,190.00</b>

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**FRANCISCO ROCHA**

Headaches / Memory Difficulty / Dizziness

Cervical Sprain / Strain

Thoracic sprain /strain

Lumbar sprain/strain

L3-L4 / L4-L5 / L5-S1 Disc Bulges / Dessication

Plaintiff **FRANCISCO ROCHA**'s medical bills are as follows:

1.	John Lyons Physical Therapy	\$	Requested
2.	Pueblo Medical Imaging	\$	3,600.00
3.	Andrea Haag, LMT	\$	Requested
4.	Prescriptions	\$	40.38
5.	Epion Institute for Spine & Joint Pain	\$	27,500.00
6.	Red Rock Surgery Center	\$	40,247.00
7.	Valle Anesthesiology Consultants	\$	5,200.00
8.	Stuart Kaplan, M.D.	\$	1,000.00
<b>TOTAL</b>		<b>\$</b>	<b>77,587.38</b>

I hereby certify pursuant to NRCP 11 this case to be within the exemption(s) marked above and am aware of the sanctions which may be imposed against any attorney or party who without good cause or justification attempts to remove a case from the arbitration program.

DATED this 14th day of March, 2022.**HARRIS & HARRIS**By: /s/ **BRIAN K. HARRIS****BRIAN K. HARRIS, ESQ.**

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*Attorneys for Plaintiffs*



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 14 day of March, 2022, I served a true and correct copy of the foregoing **PETITION FOR EXEMPTION FROM ARBITRATION**, addressed to the following counsel of record at the following address(es):

— **VIA U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, addressed as indicated on service list below in the United States mail at Las Vegas, Nevada.

— **VIA FACSIMILE:** by causing a true copy thereof to be telecopied to the number indicated on the service list below.

X **VIA ELECTRONIC: FILE ONLY / FILE AND SERVE / SERVICE ONLY** by causing a true copy thereof to be electronically submitted through WIZNET, the Eighth Judicial District Court efilng program.

— **VIA PERSONAL DELIVERY:** by causing a true copy hereof to be hand delivered on this date to the addressee(s) at the address(es) set forth on the service list below.

Lucian J. Greco, Jr., Esq.

Devin R. Gifford, Esq.

Matthew J. Cook, Esq.

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HARRIS INJURY LAW Employee

HARRIS  
INJURY LAW